

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE MATERIAL WITNESSES
ROBERTO DAMASING, PAUL TUDOR,
PASCUAL CONGE AND
BRYAN ESPINA.

Case No.

U. S. DISTRICT COURT - DE

MISC. CASE # 06-122

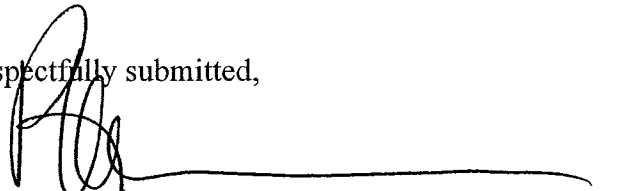
**EMERGENCY PETITION OF ROBERT DAMASING, PAUL TUDOR, PASCUAL
CONGE AND BRYAN ESPINA TO COMPEL THEIR IMMEDIATE RELEASE**

Petitioners Roberto Damasing, Paul Tudor, Pascual Conge and Bryan Espina, through their undersigned counsel, move for an Order compelling the United States of America to immediately release them and allow them to return to their respective homelands. In the alternative, Petitioners request that the United States of America depose them, pursuant to Federal Rule of Criminal Procedure 15(a)(2), within five (5) days, immediately after which they be allowed to return to their respective homelands.

FILED
CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
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The grounds for this motion are set forth in the Brief in Support of Emergency Petition of Robert Damasing, Paul Tudor, Pascual Conge and Bryan Espina to Compel their Immediate Release, which is being filed herewith.

Respectfully submitted,



Dated: June 27, 2006

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Paul Tudor, Pascual Conge and Bryan Espina*

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CERTIFICATE OF SERVICE

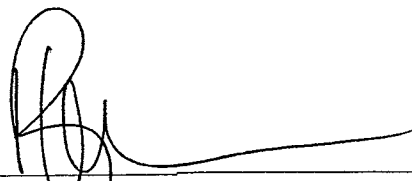
I hereby certify that, on June 27, 2006, I arranged for a copy of the foregoing Emergency Petition of Robert Damasing, Paul Tudor, Pascual Conge and Bryan Espina To Compel Their Immediate Release to be served by facsimile and first-class United States mail, postage prepaid upon the following individuals:

Mark Kotila, Esquire
United States Department of Justice
Environmental Crimes Section
P.O. Box 23985
L'Enfant Plaza Station
Washington, D.C. 20026-3985

Michael Chalos, Esquire
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366 Main Street
Port Washington, NY 11050

Carl Woodward, Esquire
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Five Becker Farm Road
Roseland, New Jersey 07068-1739

Bruce Pasfield, Esquire
Alston & Bird LLP
The Atlantic Building
950 F Street, N.W.
Washington, DC 20004-1404

A handwritten signature in black ink, appearing to be 'R. Donaldson', written over a horizontal line.

Richard M. Donaldson (DE Bar No. 4367)

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FOR THE DISTRICT OF DELAWARE**

IN RE MATERIAL WITNESSES	:	Case No.
ROBERTO DAMASING, PAUL TUDOR,	:	
PASCUAL CONGE AND	:	
BRYAN ESPINA.	:	

ORDER

THIS ____ day of _____, 2006, the Court having considered the Emergency Petition of Roberto Damasing, Paul Tudor, Pascual Conge and Bryan Espina to Compel their Immediate Release, and any opposition thereto, it is hereby ORDERED that the United States of America shall allow them to return to their respective homelands or, within five (5) days of the date of this Order, shall take the depositions of Petitioners pursuant to Federal Rule of Criminal Procedure 15(a)(2).

It is further ORDERED that upon the earlier of the completion of Petitioners' depositions or five (5) days from the date of this Order, the United States of America shall return Petitioners' passports and all other documents that have been seized from them, and shall provide Petitioners with letters for their respective homeland immigration departments explaining that: Petitioners were detained in the United States pursuant to a criminal investigation; Petitioners were witnesses to criminal conduct; and Petitioners were not involved in any wrongdoing, but rather were assisting the United States in a criminal investigation.

BY THE COURT:

UNITED STATES DISTRICT JUDGE